

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

REBIO RONNIE TOWNSEND,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

Case No. 1:13-cv-01091 DLB PC

ORDER TRANSFERRING ACTION  
TO THE CENTRAL DISTRICT  
OF CALIFORNIA

Plaintiff Rebio Ronnie Townsend (“Plaintiff”) is a civil detainee proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on July 11, 2013. Plaintiff’s complaint contained allegations relating to his conditions of confinement at Coalinga State Hospital. Accordingly, on July 22, 2013, the action was transferred from the Sacramento Division of this Court to the Fresno Division.

On August 19, 2013, Plaintiff filed a First Amended Complaint as of right.<sup>1</sup> Although Plaintiff is currently housed at Coalinga State Hospital, the allegations in his First Amended Complaint related to events occurring while he was housed at Atascadero State Prison. He alleges that this action is filed against “slandorous doctors at Atascadero.” Comp. 4.

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<sup>1</sup> Plaintiff consented to the jurisdiction of the United States Magistrate Judge on July 22, 2013.

1 The federal venue statute requires that a civil action, other than one based on diversity  
2 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants  
3 reside in the same state, (2) a judicial district in which a substantial part of the events or omissions  
4 giving rise to the claim occurred, or a substantial part of the property that is the subject of the action  
5 is situated, or (3) a judicial district in which any defendant may be found, if there is no district in  
6 which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

7 Given that the events arose in San Luis Obispo County and no Defendant resides in this  
8 district, Plaintiff’s complaint should have been filed in the United States District Court for the  
9 Central District of California. See Costlow v. Weeks, 790 F.2d 1486, 1488 (9th Cir. 1986) (court  
10 may raise defective venue sua sponte).

11 Accordingly, this action is HEREBY ORDERED TRANSFERRED to the United States  
12 District Court for the Central District of California.

13 IT IS SO ORDERED.

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15 Dated: September 19, 2013

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE